

**ENTERED**

April 30, 2025

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

JULIUS LAMUNN	§ CIVIL ACTION NO
NORTH,	§ 4:24-cv-02366
Plaintiff,	§ § §
vs.	§ JUDGE CHARLES ESKRIDGE
	§ § §
BONIAL &	§
ASSOCIATES P.C. and	§
IDAHO HOUSING	§
AND FINANCE	§
ASSOCIATION,	§
Defendants.	§

**ORDER ADOPTING  
MEMORANDUM AND RECOMMENDATION**

Plaintiff Julius Lamunn North proceeds here *pro se*. He filed an action in state court alleging violations under the Fair Debt Collection Practices Act. Dkt 1-5 (complaint). Defendant removed the action to federal court. Dkt 1.

Pending is a motion to dismiss by Defendants Bonial & Associates, PC and Idaho Housing and Finance Association, contending that this same matter has previously been resolved on the merits by the Southern District of Texas. Dkt 33; see 4:23-cv-03211, Dkt 24 (Hittner, J); 4:25-cv-01232, Dkt 6 (Hittner, J). Also pending is a Memorandum and Recommendation by Magistrate Judge Peter Bray dated April 4, 2025, recommending that the motion be granted because the claims are barred by *res judicata*. Dkt 35.

North filed an objection to the Memorandum and Recommendation. Dkt 36. But he didn't file a response to

the motion to dismiss, meaning that the underlying motion was properly treated as unopposed. SD Tex LR 7.4.

The district court reviews *de novo* those conclusions of a magistrate judge to which a party has specifically objected. See FRCP 72(b)(3) & 28 USC § 636(b)(1)(C); see also *United States v Wilson*, 864 F2d 1219, 1221 (5th Cir 1989, *per curiam*). The district court may accept any other portions to which there's no objection if satisfied that no clear error appears on the face of the record. See *Guillory v PPG Industries Inc*, 434 F3d 303, 308 (5th Cir 2005), citing *Douglass v United Services Automobile Association*, 79 F3d 1415, 1430 (5th Cir 1996, *en banc*); see also FRCP 72(b) advisory committee note (1983).

Plaintiff fails to address his failure to oppose the motion to dismiss. Regardless, upon *de novo* review and determination, *res judicata* clearly bars his claims. The Memorandum and Recommendation clearly details the pertinent facts and correctly applies controlling law.

The Memorandum and Recommendation of the Magistrate Judge is ADOPTED as the Memorandum and Order of this Court. Dkt 35.

The motion to dismiss by Defendants Bonial & Associates, PC and Idaho Housing and Finance Association is GRANTED. Dkt 33.

This action is DISMISSED WITH PREJUDICE.

A final judgment will enter separately.

SO ORDERED.

Signed on April 30, 2025, at Houston, Texas.

  
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Hon. Charles Eskridge  
United States District Judge